

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC., ET AL.,

Plaintiffs,

-against-

UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, ET AL.,

Defendants.

Index No. 1:06-cv-12987-PKC

**UNOPPOSED MOTION TO ADMIT
COUNSEL PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, J. Jamari Buxton, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of:

Applicant's Name: Russell S. Frye
Firm Name: FryeLaw PLLC
Address: 3050 K Street, N.W. Suite 400
City/State/Zip: Washington, DC 20007-5108
Phone Number: (202) 572-8267
Fax Number: (866) 850-5198

Russell S. Frye is a member in good standing of the Bar of the State of Ohio and the District of Columbia. There are no pending disciplinary proceedings against Mr. Frye in any State or Federal court. Counsel for Plaintiffs and Defendants have indicated that they do not object to this motion.

Dated: January 17, 2007
New York, New York

Respectfully submitted,

KELLEY DRYE & WARREN LLP

By



J. Jamari Buxton (JB 6446)
101 Park Avenue
New York, New York 10178
(212) 808-7800
Counsel for Intervenor Applicant
The Cooling Water Intake Structure
Coalition

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FILED
JAN 17 PM 2:41
S.D. OF N.Y.

TO: Reed W. Super, Esq.
Edward Lloyd, Esq.
Columbia University School of Law
Environmental Law Clinic
435 West 116th Street
New York, New York 10027
Counsel for Plaintiffs

Wendy H. Waszmer, Esq.
Assistant United States Attorney
Southern District of New York
86 Chambers Street, 3rd Floor
New York, New York 10007
Counsel for Defendants

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**DECLARATION OF J. JAMARI BUXTON
IN SUPPORT MOTION TO ADMIT
COUNSEL PRO HAC VICE**

Pursuant to 28 U.S.C. § 1746, I, J. Jamari Buxton, declare as follows:

1. I am an associate at Kelley Drye & Warren LLP, local counsel for the Cooling Water Intake Structure Coalition (the "Coalition"), an applicant to intervene in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Coalition's motion to admit Russell S. Frye of Washington, D.C. as counsel pro hac vice to represent the Coalition in this matter.
2. I am a member in good standing of the bar of the State of New York, and I was admitted to practice law on December 12, 2005. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Russell S. Frye since 2006. He is also a former partner in Collier Shannon Scott, PLLC, a firm with which Kelley Drye & Warren LLP merged in 2006.
4. Mr. Frye is the principal in Frye Law PLLC in Washington, D.C.

5. Mr. Frye is a member in good standing of the Bar of the State of Ohio and the District of Columbia. Certificates attesting to Mr. Frye's good standing are attached hereto as Exhibit A.

6. I have found Mr. Frye to be a skilled attorney and a person of integrity and high moral character. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

7. Accordingly, I am pleased to move for the admission of Russell S. Frye, pro hac vice. Counsel for Plaintiffs and Defendants have indicated that they do not object to this motion.

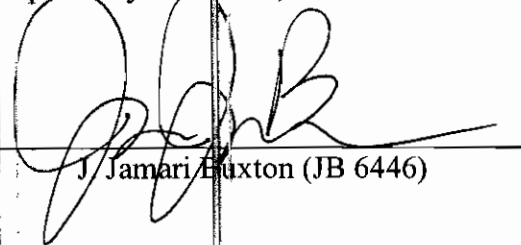
8. I respectfully submit a proposed order granting the admission of Russell S. Frye, pro hac vice, which is attached hereto as Exhibit B.

9. I declare under penalty of perjury that the foregoing is true and correct.

WHEREFORE, it is respectfully requested that the motion to admit Russell S. Frye, pro hac vice, to represent intervenor applicant the Cooling Water Intake Structure Coalition in the above-captioned matter, be granted.

Dated: January 17, 2007
New York, New York

Respectfully submitted,



J. Jamari Buxton (JB 6446)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC., ET AL.,

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**ORDER FOR ADMISSION PRO HAC VICE
ON WRITTEN NOTICE**

Upon the motion of J. Jamari Buxton, local counsel for intervenor applicant the Cooling Water Intake Structure Coalition, and said sponsor attorney's declaration in support;

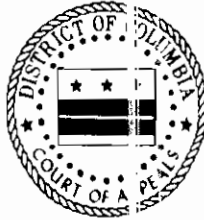
IT IS HEREBY ORDERED that:

Applicant's Name: Russell S. Frye
Firm Name: FryeLaw PLLC
Address: 3050 K Street, N.W. Suite 400
City/State/Zip: Washington, DC 20007-5108
Phone Number: (202) 572-8267
Fax Number: (866) 850-5198

is admitted to practice pro hac vice as counsel for the Cooling Water Intake Structure Coalition in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: January __, 2007
New York, New York

United States District Judge



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4210
Washington, D. C. 20001
202 / 879-2710


I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

RUSSELL SCOTT FRYE

_____ was on the 16TH day of JANUARY, 1981 _____
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on
December 19, 2006.

GARLAND PINKSTON, JR., CLERK

By: 
Deputy Clerk

The Supreme Court of Ohio

C E R T I F I C A T E

I, RICHARD A. DOVE, Director of the Attorney Services Division of the Supreme Court of Ohio, do hereby certify that I am the custodian of the records of the Attorney Registration Section of the Supreme Court and that the Attorney Services Division is responsible for reviewing Court records to determine the status of Ohio attorneys. I further certify that, having fulfilled all of the requirements for admission to the practice of law in Ohio,

Russell Scott Frye

was admitted to the practice of law in Ohio on November 20, 1978; has registered as an active attorney pursuant to the Supreme Court Rules for the Government of the Bar of Ohio; is in good standing with the Supreme Court of Ohio; and is entitled to practice law in this state.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed the seal of the Supreme Court, this 11th day of January, 2007.

RICHARD A. DOVE

Director, Attorney Services Division



Manager, Attorney Registration and CLE Section